

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EVEIANA NAZARIO,

Plaintiff,

-against-

SIRIUS XM RADIO INC.,

Defendant.

Case No.: 1:19-cv-07844

Hon. Charles R. Norgle, Sr.

**NOTICE OF THE SUPREME COURT'S GRANT OF CERTIORARI IN *BARR v.
AMERICAN ASSOCIATION OF POLITICAL CONSULTANTS INC.***

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Sirius XM Radio Inc. respectfully writes to inform the Court that the Supreme Court granted certiorari in *Barr v. American Association of Political Consultants, Inc.* See ___ S. Ct. ___, 2020 WL 113070 (U.S. Jan. 10, 2020) (mem.). Sirius XM addressed the then-pending *Barr* certiorari petition in its motion to dismiss or to stay filed last week. See Dkt. 10 at 14, 15. *Barr* will consider the same questions raised in Sirius XM’s motion to dismiss or to stay: whether the TCPA’s restrictions on calls placed using an “automatic telephone dialing system” are impermissibly content-based and, if so, whether the proper remedy is to invalidate the prohibition or to sever the content-based exemptions. See Pet. for Cert. i, *Barr v. Am. Ass’n of Political Consultants, Inc.*, No. 19-631 (U.S.) (asking the Court to consider these questions), available at <https://tinyurl.com/sm5nvbm>.

In light of the date on which the Supreme Court granted certiorari, it can be expected that the Court will issue its decision by June 2020, the end of the current Term.

Dated: January 13, 2020

Respectfully submitted,

/s/ Christopher A. Hall

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CERTIFICATE OF SERVICE

I, Christopher A. Hall, hereby certify that on January 13, 2020, a copy of the foregoing was filed using the CM/ECF system, which will effectuate service on all counsel of record.

/s/ Christopher A. Hall